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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

FEDERAL HOUSING FINANCE AGENCY,  
in its capacity as Conservator for the Federal  
National Mortgage Association and Federal  
Home Loan Mortgage Corporation

Petitioner,

vs.

SFR INVESTMENTS POOL 1, LLC,  
Respondent.

Case No.: 2:17-cv-00914-GMN-PAL

**MOTION FOR ISSUANCE OF SUMMONS  
TO SFR INVESTMENTS POOL 1, LLC**

Petitioner, the Federal Housing Finance Agency (“Petitioner,” “FHFA” or the  
“Conservator”) acting as Conservator for Federal National Mortgage Association (“Fannie Mae”)  
and Federal Home Loan Mortgage Corporation (“Freddie Mac”), respectfully requests that the  
Court issue a Summons in the form attached as **Exhibit A**. FHFA commenced this action by  
petitioning the Court under 12 U.S.C. §§ 4588(c) and 4617(b)(2)(I) for an order requiring Las Vegas  
Development Group, LLC (“Respondent”) to comply with the subpoena *duces tecum* (the  
“Subpoena”) the Conservator issued to it on November 21, 2016. (ECF No. 1). Those statutes  
provide that the Conservator may issue subpoenas administratively and enforce them, if necessary,  
through “an action ... in ... United States district court....” 12 U.S.C. § 4588(c). While a  
summons may not be strictly necessary in commencing such an enforcement action, issuance and  
service of one will indisputably place Respondent on notice of the action and thereby facilitate  
efficient resolution of the petition.

1           The Conservator issued the Subpoena to further its statutory power to “preserve and  
2     conserve ... assets and property” of the Fannie Mae and Freddie Mac (together, “the Enterprises”)  
3     conservatorships — specifically, the Enterprises’ interests in liens encumbering properties that have  
4     been the subjects of completed HOA foreclosure sales conducted pursuant to Nevada’s super-  
5     priority lien statute, NRS 116.3116(2). *See* 12 U.S.C. § 4617(b)(2)(B)(iv). The Conservator, along  
6     with Fannie Mae and Freddie Mac, is involved in extensive litigation in this District concerning the  
7     continued validity of those liens. Through that litigation, Petitioner became aware that Respondent  
8     and/or its affiliates have acquired multiple properties through, or subsequent to, HOA sales.

9  
10           On November 21, 2016, as part of an investigation into whether and if so how FHFA should  
11     act to protect the Enterprises’ liens, including by way of additional litigation, Petitioner issued the  
12     Subpoena under 12 U.S.C. § 4617(b)(2)(I) and § 4588(c), which authorizes the Conservator to issue  
13     subpoenas to aid it in “carrying out [its] power[s], authorit[ies], or dut[ies],” and caused it to be  
14     served upon Respondent. *See* ECF No. 1-2, pages 1-7. Respondent did not produce the information  
15     requested. Because the Subpoena concerns Respondent’s business activity of purchasing real  
16     property located in Nevada, the Subpoena is properly enforced in this Court under 12 U.S.C.  
17     § 4617(b)(2)(I) and § 4588(c), which provide that the Conservator “may bring an action ... in the  
18     United States district court for the judicial district ... where the witness ... conducts business ....”  
19  
20     Accordingly, and pursuant to the statute, FHFA seeks to enforce the subpoena judicially.

21           Issuance and service of a summons will eliminate any potential dispute as to notice of the  
22     action, thereby advancing judicial economy and facilitating the Conservator’s work, and Petitioner

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24     ///

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1 therefore respectfully requests the issuance of a summons in the form attached hereto as Exhibit A.

2 DATED: April 10, 2017.

3 FENNEMORE CRAIG, P.C.

4 By: /s/ Leslie Bryan Hart  
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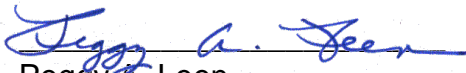
11 and

12 ARNOLD & PORTER KAYE SCHOLER LLP

13 (Pro Hac Vice to be Submitted)  
14 Michael A.F. Johnson, Esq.

15 *Attorneys for Petitioner Federal Housing*  
16 *Financing Agency*

17 IT IS SO ORDERED this 18th day  
18 of April, 2017.

19   
20 Peggy A. Leen  
21 United States Magistrate Judge  
22  
23  
24  
25  
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**EXHIBIT INDEX**

DESCRIPTION	EXHIBIT
Proposed Summons	A

# Exhibit A

[Proposed] Summons

Exhibit A

Signature of Clerk or Deputy Clerk